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EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Forty-seventh session

SUMMARY RECORD OF THE 513th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 10 October 1996, at 10 a.m.

Chairman: Mr. MCHUMO (United Republic of Tanzania)

later: Mr. SKOGMO (Norway)

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CONSIDERATION AND ADOPTION OF PROGRAMME BUDGETS

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GE.96-03026 (E)

The meeting was called to order at 10.25 a.m.

ANNUAL THEME: THE PURSUIT AND IMPLEMENTATION OF SOLUTIONS (agenda item 4) (continued) (A/AC.96/863, A/AC.96/867 and A/AC.96/872)

1. Mr. von BERNUTH (International Council of Voluntary Agencies) said that the NGO community took note with satisfaction of the statement in a UNHCR handbook that UNHCR, Governments and NGOs had a joint role to play in the voluntary repatriation of refugees. What was lacking was a clear definition of that joint role. The NGO community therefore proposed that a mechanism should be established to facilitate access by NGOs to the Standing Committee, that official documents of the Executive Committee should be made available to NGOs before meetings and that there should be a mechanism whereby NGO documents were distributed in advance to the members of the Executive Committee. The NGO community appreciated the High Commissioner's rationalization efforts and would like machinery for regular consultations between NGOs and UNHCR to be set up.

2. UNHCR was unique among all international humanitarian organizations on account of its protection responsibilities. At present, of course, it faced unprecedented problems throughout the world, but the greatest challenge was to combine its protection function with emergency relief that required enormous resources. Since the end of the cold war, mounting pressure had jeopardized the protection principle. However, UNHCR had to continue to demonstrate its commitment to the protection of refugees for as long as the international community entrusted it with that responsibility. NGOs were deeply concerned about the statement made by the United States on 7 October that the principle of non-refoulement was only a "humanitarian principle" and considered it regrettable that the importance of the legal obligation which prohibited the refoulement of a refugee was being minimized.

3. With regard to coordination, the NGO community reaffirmed the importance it attached to the role of the Emergency Relief Coordinator and the Inter-Agency Standing Committee. That mechanism made for enhanced cooperation and coordination within the United Nations system and between the United Nations and NGOs and made it possible to determine what type of coordination was best suited to each new complex emergency situation.

4. The NGO community welcomed the choice of the topic of "The pursuit and implementation of durable solutions" as the theme of the forty-seventh session of the Executive Committee. In that connection, a great deal could be learned from the Rwandan refugee situation. It was generally agreed that the situation in the camps was unbearable and that security and stability in the region were being threatened. UNHCR, the international community and NGOs therefore had to work to establish an atmosphere of confidence that would promote voluntary repatriation. The situation in Rwanda had to be closely monitored and donors had to be encouraged to support initiatives relating to it.

5. In conclusion, he paid tribute to the High Commissioner, who was giving hope, through her untiring efforts and leadership, to the poor, the uprooted

and those crushed by hatred and meanness of every kind. The majority of NGOs were committed to working with her to end violence and make the world a better place.

6. Mr. SCHATZER (International Organization for Migration) said that the theme of the forty-seventh session of the Executive Committee offered an opportunity to highlight cooperation between UNHCR and IOM. One of the cornerstones of such cooperation was refugee resettlement and IOM shared the High Commissioner's concern about the diminishing availability of resettlement options for persons in need of what was often the only viable solution. The second area of cooperation, voluntary repatriation, was rightly regarded as the most desirable response. In the Great Lakes region, for example, IOM managed a joint fleet of vehicles to transport refugees, with UNHCR providing a share of the funding. At the same time, IOM was helping the Rwandan authorities to replace qualified manpower lost to genocide and war. Such programmes could be sustained only with the consent of all groups involved, host and countries of origin, individual migrants and donors. There was broad support for the concept of an early link between humanitarian relief, rehabilitation measures and longer term development.

7. The third focus of cooperation was technical. Assisting Governments and non-governmental organizations to develop their capacities to deal with migration issues involved human rights, refugee legislation, information management, integration measures and assisted voluntary return. The fourth area of common interest was of particular concern to IOM, namely, the growing number of irregular migrants, including asylum-seekers whose quest for asylum, residence or immigration had failed. For such persons, return was frequently the alternative to detention or continued illegality. IOM voluntary return programmes were a humane and cost-effective solution that helped preserve a viable asylum system.

8. In a draft memorandum of understanding, the two organizations recognized the importance of ad hoc consultations on activities intended for persons who might be of direct or indirect concern to either of them. Such mechanisms were increasingly being used and UNHCR's involvement in status determination and the training of host government staff was a valuable contribution to IOM's programmes for the return of irregular migrants. The many new challenges that the two organizations were facing, both jointly and individually, required a large degree of innovation in planning and execution in order to help the millions of individuals looking to the international community for assistance, protection and political solutions.

9. Mrs. AHLUWALIA (International Federation of Red Cross and Red Crescent Societies) welcomed the fact that, in her introductory statement, the High Commissioner had drawn attention to issues such as the erosion of international protection standards, the need for real burden-sharing and the danger of the politicization of humanitarian tasks. The International Federation was concerned that the principle of voluntary repatriation should be upheld, even in situations in which political and financial convenience would create a temptation to make exceptions to the rule of non-refoulement. Durable solutions to refugee problems began with efforts to avoid situations that caused individuals and peoples to leave their homes, continued with

preparations for return when conditions were appropriate and included the provision of assistance after their return, local integration or resettlement.

10. The International Federation was most concerned about the situation in the Great Lakes region and deplored the death of three of its colleagues in Zaire, as well as of ICRC colleagues in Burundi. It welcomed the efforts being made by UNHCR and Governments in the region to find a political solution to the problem. That involved risks, but the risks could be minimized if the possible consequences were carefully analysed and prior consultations were held with aid agencies and, if possible, with beneficiaries.

11. Most of the beneficiaries of the International Federation's assistance in the Great Lakes region were women and children, not genocide criminals. Measures did, of course, have to be taken to separate the criminal elements from the rest of the refugees, but that must be done by law enforcement agencies of the host country, in a disciplined manner, respecting the basic rights of the refugees. It must be understood that agencies such as her own could not be part of that process.

12. With regard to the pursuit of durable solutions, the International Federation considered that, in the interest of the beneficiaries, repatriation must be voluntary and carried out in dignity. Despite the many positive steps taken by the Rwandan Government, the situation in Rwanda was still not normal and the country desperately needed assistance to ensure the refugees' return. In cooperation with the Rwanda Red Cross, the International Federation was prepared to extend assistance to the refugees who chose to return. In that connection, it undertook to continue and promote operational cooperation with the United Nations and, in particular, with UNHCR, in a spirit of complementarity and mutual respect.

13. The causes of refugee movements and population displacements were usually, if not always, political and the solution therefore had to come from political processes, which must, however, be kept distinct from humanitarian actions in order to alleviate immediate suffering. Asylum, assistance and protection were humanitarian, not political. The international community had to adopt a more comprehensive approach to today's humanitarian crises and that approach had to encompass not only humanitarian considerations, but also concern for justice, security and political and economic interests.

14. Mr. GIORGIS (Observer for Eritrea), speaking in exercise of the right of reply, expressed his gratitude to the Sudanese people for the unlimited hospitality extended to the Eritrean refugees. Eritrea had never denied that there were cultural, historical and personal links between the two countries, whatever the policies followed by their Governments. However, Eritrea was requesting the Government of the Sudan to respect the inalienable rights of the refugees and, in accordance with the international humanitarian principle, to guarantee their safety and encourage the exercise of their right to voluntary repatriation. For over three years, the Sudan had been urging the conclusion of tripartite agreements. Since the negotiations had failed, Eritrea had signed a memorandum of understanding separately with UNHCR, entrusting it with the task of carrying out its humanitarian mandate to protect refugees and facilitate their return and reintegration. A tripartite agreement must not be held up as dogma: there were other mechanisms, such as

a two-party agreement with UNHCR. Eritrea hoped that the Sudan would abide by that decision and allow the voluntary return of the refugees to resume. If, as the representative of the Sudan claimed, some refugees did not want to be repatriated, Eritrea was of the opinion that their wishes should be respected. Eritrea thanked UNHCR for the efforts it was making to remove the remaining obstacles and assured it that it was determined to cooperate with it to find durable solutions to the Eritrean refugee problem.

15. Mr. TABESH (Observer for the Islamic Republic of Iran), speaking in exercise of the right of reply, said that the allegations the observer for Iraq had made the previous day were groundless. Iraqi refugees had never had confidence in the many public amnesties decreed by the Iraqi Government after each wave of repression against the Kurds in the north and the Shiites in the south. Iraq, which was distorting the truth about the main causes of the new influx of Iraqi Kurdish refugees, was trying to make the Islamic Republic of Iran responsible. Following its defeat after the invasion of Kuwait, however, Iraq had been unable to control its borders. Terrorist acts had thus been carried out from inside Iraqi territory. In reply, the Iranian army had conducted limited operations against the terrorists' headquarters. Those operations, of which the United Nations Security Council had been informed, could not serve as a pretext for Iraq's elimination of the Kurds. The incident that Iraq was pointing to as the reason for its military operations against the Kurds had taken place one month earlier. In conclusion, he recalled that his country undertook to respect Iraq's sovereignty and territorial integrity and to relieve the suffering of Iraqi refugees.

16. Mr. MESSAOUI (Algeria), speaking in exercise of the right of reply, said that his country was too aware of its responsibilities in the region to make the question of the Saharan refugees a topic of sterile polemical debate. It nevertheless pointed out that the Saharan population which had found asylum in Algeria had been displaced from the territory of Western Sahara as a result of war, following the delay in the referendum scheduled by the Spanish Occupying Power in 1974 and the unlawful occupation of the territory by other countries in the region. The population of Western Sahara, led by the Polisario Front, had stood up to the new forces of occupation. There had thus been a mass exodus of Saharans to Mauritania and Algeria and the Saharans who had found exile in Algeria had been recognized by the international community as refugees and benefited as such from the 1951 Convention relating to the Status of Refugees.

17. His delegation was not alone in considering that those refugees were an integral part of the Saharan people, whose right to self-determination still had not been granted. The entire international community, including Morocco and the Polisario Front had so agreed by consensus as of 1990. In various resolutions, the United Nations General Assembly had stressed the importance and value of direct contacts between the Kingdom of Morocco and Polisario and such contacts had been held at a high level in Geneva. Ever mindful of its responsibilities, Algeria was helping to relieve the suffering of the Saharan refugees in cooperation with the competent United Nations bodies.

18. Mrs. OKO (Nigeria), speaking in exercise of the right of reply, said that her delegation had been astounded to hear the observer for Benin refer to Nigerian Ogoni refugees. The Nigerian Government had had no knowledge of

them, since Nigeria was not a country in which refugees originated. Rather, it was giving protection and assistance to refugees from Africa and elsewhere and even taking part in efforts to find a regional solution to refugee problems in its region. The problem of the Ogonis was that they were trying to get Shell BP to build infrastructures in their state and compensate them for the land they had lost. At present, Shell BP was building roads and schools and giving Ogoni students scholarships. Moreover, the Nigerian Government had taken steps to ensure that the Ogoni state had adequate infrastructure. The Nigerian Government kept the door open to all Nigerians who returned to the country.

19. Mr. TIKRITI (Observer for Iraq), speaking in exercise of the right of reply, said it was regrettable that Iran's policy in the region was to create conditions to enable it to influence the regional and international situation by inflicting suffering on innocent citizens. Iran's intervention in northern Iraq was proof that it was trying to establish a stronghold in that region in order to strengthen its presence in southern Lebanon. Iran was now helping to destabilize the region and create a situation that was full of danger and might increase the flow of refugees in violation of the relevant international instruments to which it was a party.

20. Mr. TABESH (Iran), speaking in exercise of the right of reply, said it was deplorable that Iraq persistently failed to learn anything from history and was not even able to recognize its own national interests. In the past decade, it had continued to commit aggression, repression and errors of judgement and to blame others instead of solving its own problems.

21. Mr. BENJELLOUN-TOUIMI (Observer for Morocco), speaking in exercise of the right of reply, pointed out, without naming names, that no one could fail to abide by his commitments and could not prevent UNHCR from carrying out the task entrusted to it. It would have been fortunate if one of the persons who had just exercised his right of reply had announced an agreement on the international official who would be in charge of the UNHCR branch office that had just opened in Tindouf. The other matters were political and had to be settled by the appropriate bodies.

22. Mr. TIKRITI (Observer for Iraq), speaking in exercise of the right of reply, said that Iran was obviously trying to evade the issues. Its policy was to interfere in the internal affairs of others, as could be seen in southern Turkey, northern Iraq and other Gulf countries. Iran had to put an end to that policy of aggression against countries which were, moreover, entirely capable of taking care of their own interests.

23. The CHAIRMAN, summing up the discussion on agenda item 4, said that the question of the pursuit and implementation of durable solutions to refugee problems had been analysed in depth and had given rise to a number of proposals.

24. It had thus become clear that the causes of the refugee problem were to be found increasingly in conflicts between groups rather than between States. Several delegations had expressed concern that the size and complexity of the refugee situation in the world had led donor States to be less generous in their contributions. Attention had also been drawn to the burden that a

massive refugee presence placed on developing countries which gave them asylum, thereby overloading their social and economic machinery and exercising heavy pressure on their environment, so much so that several delegations had requested that that question should be included in the agenda of the Standing Committee. Several developing countries hosting a large number of former refugees had drawn attention to the problems they faced in trying to meet the needs of those populations in a situation characterized by meagre resources and, in some cases, a devastated economy. In the general view, international solidarity was necessary if prevention was to be effective and solutions just and durable.

25. It had also been agreed that voluntary repatriation was the preferred solution. Repatriation was, moreover, regarded as an operation that did not involve only having population groups cross borders, but also creating the necessary conditions for the development of the country of origin. The follow up to the returnees' situation could help to establish a climate of confidence and facilitate the process of reconciliation.

26. The general opinion had been that UNHCR played an important role in facilitating the resettlement of refugees because it worked in constant cooperation with agencies that had specific development and human rights mandates. In that connection, it had been reaffirmed that local integration was one of the most important of all the durable solutions, although a number of developing countries had made it known that it was difficult for them to consider that solution. Several delegations had stressed the need for the establishment of international cooperation and solidarity to strengthen the capacity of host countries. That matter should be given more in-depth consideration by the Standing Committee in 1997.

27. Several delegations had stressed that third country resettlement was a valid solution that had to be strengthened. The possibilities of regional resettlement through appropriate international support should be considered.

28. Several delegations had drawn attention to the link between prevention and solutions and, in that regard, UNHCR played a key role in early warning, training and the strengthening of institutions. It should nevertheless try to avoid duplication with other organizations.

29. Several delegations had welcomed the convening of the CIS Conference and the resulting Plan of Action, regarded as an instrument of both prevention and solutions. It had nevertheless been stressed that comprehensive approaches had to be accompanied by ambitious political initiatives and conflict settlement efforts, but political will lay at the heart of any durable solution.

30. The tense situation in the Great Lakes region, which could not be solved only by humanitarian measures, had been discussed in depth. Several delegations had made proposals that might be considered later in greater detail.

31. The work carried out in accordance with Economic and Social Council resolution 1995/56 had also been welcomed and the key role of the Standing Committee had been emphasized.

Draft conclusion on the CIS Conference (DC/CN.1, distributed in the meeting room in English only)

32. The CHAIRMAN invited the participants to adopt by consensus the draft conclusion concerning the CIS Conference proposed under agenda item 4.

33. The draft conclusion on the CIS Conference was adopted by consensus.

REPORTS ON THE WORK OF THE STANDING COMMITTEE ON INTERNATIONAL PROTECTION AND PROGRAMME, ADMINISTRATIVE AND FINANCIAL MATTERS (agenda item 5) (A/AC.96/861, 862, 863, 871, 873, 874 and 875)

34. Mr. Skogmo (Norway) took the Chair.

35. The CHAIRMAN invited delegations to consider the report on the work of the Standing Committee (A/AC.96/875) and the Committee's reports on the work of its first meeting (A/AC.96/861), its second meeting (A/AC.96/862), its third meeting (A/AC.96/873) and its fourth meeting (A/AC.96/874). The Executive Committee would also review action taken on decisions of its forty-sixth session (A/AC.96/871) and three conclusions based on the work of the Standing Committee: a general conclusion on international protection, a conclusion on comprehensive and regional approaches and a conclusion on the implementation of Economic and Social Council resolution 1995/56.

36. The Standing Committee had held four meetings in 1996, in January, April, June and September-October. Its work had related to a number of recurrent items, namely, in-depth reviews of UNHCR programmes in different regions, regular updates on programme and funding issues and the strengthening of emergency humanitarian assistance of the United Nations in accordance with Economic and Social Council resolution 1995/56. The conclusion on those discussions was being submitted.

37. In accordance with the decision on the working methods of the Executive Committee, the Standing Committee had considered questions relating to international protection at its June meeting. A conclusion on the consideration of those questions was also being submitted.

38. At its meetings, the Standing Committee had also considered matters relating to internal audit and oversight, as well as questions relating to evaluation and, in particular, the study of UNHCR action on the emergency situation in Rwanda. The Standing Committee had reviewed the question of overhead costs of NGO implementing partners. At its June meeting, it had set its contribution to such costs at 5 per cent.

39. With regard to management and administration questions, the Standing Committee had been kept regularly informed, by means of oral reports, of the progress being made on the Project Delphi Plan of Action. At its last meeting, it had given preliminary consideration to the report of the Administrative Committee on Administrative and Budget Questions (ACABQ).

40. The Standing Committee had also adopted several decisions submitted orally on questions included in its programme of work. The text of those

decisions was reproduced in the annexes to the reports on its various meetings. The Standing Committee had also begun to prepare draft decisions and conclusions to be submitted at the current session of the Executive Committee. He invited delegations to comment on the report on the work of the Standing Committee.

41. Mr. PALTHE (Netherlands), drawing attention, as he had already done at the June meeting of the Standing Committee, to the importance of the reception of persons in need of international protection in view of the ultimate objective of the return of refugees and displaced persons to their countries of origin, said that temporary protection and resettlement were viable, though additional, solutions. Recalling that the Netherlands admitted over 500 refugees from various regions for resettlement on a yearly basis, he urged other States to consider resettling persons in need of protection for whom no other solutions were left.

42. With regard to the return of persons not in need of international protection, the Netherlands had developed an integrated return policy whose key element was that asylum seekers had to return to their countries of origin when it had been determined that they had no right to remain in the Netherlands. At present, the Netherlands Government was investigating development programmes designed to encourage refugees to choose the desirable option of voluntary repatriation.

43. Voluntary repatriation should, however, not be ruled out where a safe return was possible. UNHCR could enhance its repatriation role by initiating and carrying out integrated programmes incorporating reconciliation, reintegration and reconstruction with the aim of preventing conflicts from breaking out again. That could be done in close cooperation with other international organizations such as IOM, with countries of reception and, in particular, with countries of origin.

44. The Netherlands Minister for Development Cooperation considered that the policy of usually not granting development assistance to countries at war must be revised because there were often peaceful areas to which refugees or displaced persons could return. More could be done in connection with development programmes for those regions to attract and assist refugees. That meant that, where a minimal degree of security and stability existed, the international community could assist the recipient country by going beyond mere humanitarian assistance.

45. He welcomed the fact that UNHCR was emphasizing preventive action, as the High Commissioner had said in her opening statement to the Executive Committee.

46. Mr. BRUUN (Denmark), referring to the question of temporary protection and UNHCR's role with regard to the return of persons not in need of international protection, said that the crisis in the former Yugoslavia had given rise to a great deal of discussion on lessons learned and, in particular, on the use of the new instrument of "temporary protection", about which there appeared to be some confusion. Unambiguous answers could not be given to questions such as when that regime should be instituted, who should benefit from it, which rights should be given to persons in that category in

the host country and under what conditions the regime should be lifted. Denmark therefore welcomed the fact that UNHCR had included that topic in the informal consultations on the provision of international protection to all who needed it and was ready to take part in those consultations.

47. Like other western countries, Denmark had had enormous problems in recent years in returning persons who had been determined, following a thorough procedure, not to be in need of international protection. In many cases, the authorities had been left with no option but to grant some kind of residence permit to those persons. That measure had had the effect of encouraging persons with no justified claim to refugee status to leave their countries in order to apply for asylum. That problem might overload established asylum mechanisms and undermine the credibility of the international refugee regime. It was therefore in the interest of all Governments which had signed and implemented the 1951 Convention and the 1967 Protocol, as well as of UNHCR, to ensure that international protection was provided to all who needed it and that persons determined, as a result of thorough and fair procedures, not to be in need of international protection were returned to their countries of origin. It was to be hoped that, in its final conclusions on the forty-seventh session, the Executive Committee would encourage continued consultations, on UNHCR's initiative, on that very important issue. Such consultations should lead to the establishment of a mechanism by which Governments, in cooperation with UNHCR and/or other international organizations, would be able fully to implement not only decisions on acceptance, but also decisions on rejection, ensuring to the greatest extent possible that such cases of return could take place in dignity and safety.

48. Mr. EKBLOM (Finland), endorsing the statement made on behalf of the European Union, said that voluntary repatriation was the preferred durable solution to refugee problems. Like other countries, Finland was of the opinion that the international community should assist countries of origin in their efforts to create adequate conditions for the return of refugees. In some situations, local integration was another option, a good example of which was the Mexican Government's reaction to the problem of Guatemalan refugees.

49. For Finland, resettlement was an alternative. Together with nine other States, it placed an annual quota for resettlement purposes at the High Commissioner's disposal. It welcomed the consultation process on resettlement issues that UNHCR had initiated last year and considered that more Governments should take part in those consultations to ensure better burden-sharing.

50. Prevention was the most durable solution to the refugee problem. Dealing early enough with the causes of emergency situations could offer the basis for a settlement. To that end, UNHCR must actively monitor the political situation in certain regions and maintain close cooperation with other actors in the international community. In that connection, he welcomed the High Commissioner's initiative of dealing with the problems of population displacement in the CIS countries. The CIS Conference organized by the High Commissioner in May had adopted a programme of action to be implemented by UNHCR and IOM, which were to be commended. Finland also welcomed the adoption by consensus at the current meeting of conclusions on the work of that Conference. On the basis of the programme of action, UNHCR and IOM had made a

joint appeal covering some programme elements of their joint operational strategy in three CIS countries for the rest of the year and it should be placed on record that the authorities of his country were preparing a favourable response to that appeal. In addition, through bilateral and multilateral channels, Finland had for some time been promoting institution and capacity building in the CIS region and in the Baltic countries.

51. He reiterated Finland's full support for the work being done by UNHCR to provide international protection to refugees and to assist Governments in their search for permanent solutions.

52. Mr. NORBERG (Sweden), referring to the draft conclusions on international protection, said that four elements were of particular importance to his Government. In the first place, persons seeking safety abroad should not be rejected at borders before it had been properly determined that they were not in danger.

53. Secondly, refugees, internally displaced and other persons in need of security should all have access to international protection and humanitarian assistance without discrimination. Sweden welcomed the fact that UNHCR had initiated consultations on the provision of international protection to all who needed it with a view to developing guiding principles and recommendations on topics such as temporary protection and the situation of internally displaced and other persons of concern to UNHCR.

54. Thirdly, with regard to protection in connection with comprehensive and regional approaches, UNHCR's mandate and operational role must be kept clear and unambiguous. There was a need for a situation-specific analysis which would determine the scope, priorities and duration of UNHCR activities. That analysis would be facilitated thanks to the changes made by the High Commissioner as part of Project Delphi. The protection issues confronting UNHCR would not be "integrated" into assistance activities to the extent that they would disappear under the label of "programme delivery costs". They had an objective which called for different means in different contexts. In that connection, his Government welcomed the fact that the draft conclusion on comprehensive and regional approaches strongly emphasized a "protection-based" strategy with close links to human rights and the rule of law.

55. Fourthly, with regard to protection under resettlement programmes, Sweden would maintain its resettlement quota. However, as several speakers had already said, more countries had to authorize resettlement. New avenues had to be explored in order to maximize resettlement opportunities in a cost-effective and safe manner. Sweden welcomed UNHCR's commitment to exploring regional resettlement solutions with due international support. It was ready to support UNHCR's efforts in that direction over and above its contribution to the General and Special Programmes.

56. Mrs. MATTEI (France) said that, in her delegation's opinion, UNHCR had an important role to play in the repatriation of refugees and displaced persons, as well as in the return of persons from the former Yugoslavia, but it must not play the main role in the case of persons who had not officially obtained refugee status, since responsibility in that regard lay with the States concerned.

57. Mr. SINGH (India) said that, like UNHCR, he considered that voluntary repatriation, together with effective settlement and local reintegration policies, was one of the durable solutions best suited to the refugee problem. In that connection, the question of ethnic and cultural origin must not necessarily play a predominant role in the decisions adopted. Multiculturalism and pluralism were widely accepted. Decisions must therefore be based primarily on the financial resources of host countries and the international assistance they received.

58. His delegation was of the opinion that, as far as resettlement was concerned, countries of first asylum must respect the rules of international protection, but it must also be ensured that responsibilities were shared fairly at the international level.

59. Mrs. OKO (Nigeria) said that the adoption of comprehensive approaches, including preventive measures and conflict settlement, would be the best durable solution to refugee problems. That was particularly true on the African continent, where conflicts were closely linked to political, ethnic, social and economic factors. UNHCR and the competent agencies, Governments and regional and subregional bodies had to cooperate closely to establish early warning systems in areas where conflicts might break out.

60. The CHAIRMAN drew attention to the draft conclusions on international protection, comprehensive approaches to protection and Economic and Social Council resolution 1995/56, on which the Executive Committee had to take decisions. He invited the Chairman of the UNHCR Staff Council to make a statement.

61. Mr. ISHAK (Chairman of the UNHCR Staff Council) said it was encouraging that the members of the Executive Committee were fully aware of the working conditions of his colleagues in the field. In recent years, quite a large number of them had fallen seriously ill, had been injured or had been disabled in the exercise of their functions. Many medical evacuations had had to be carried out in some duty stations, while hundreds of officials continued to work in remote regions in extremely difficult and dangerous conditions.

62. As examples of the concerns of the Staff Council about the root causes of those problems, he said that the salaries of local staff of the Bujumbura office had not been paid and that the local staff in Uvira (Zaire) were concerned that the security plan for their sub-office did not take adequate account of the special topographical and security conditions in the area. Their request that they should be allowed to take part in the preparation of a security plan which would take their concerns into account was currently being examined. In May 1996, a UNHCR driver had been shot dead after he had picked up a courier at the airport who had been under contract to UNHCR and had been carrying a large amount of cash belonging to UNHCR. An investigation was under way.

63. Bearing in mind that UNHCR staff served in countries of which 53 were categorized as high-risk areas, the root causes of those problems had to be identified and the solutions found. The Staff Council welcomed the efforts being made by UNHCR and, in particular, the fact that there had been significant improvements in in-house capacity to deal with staff security and

safety issues. However, the root causes of those problems might well be beyond the ability of any one party to identify or resolve. Some problems arose as a result of management decisions adopted without taking account of staff views and some basic rules.

64. A fair opportunity should therefore be given to UNHCR staff to take part in identifying and solving any human resources problems it faced. That right to effective participation was a fundamental staff right provided for in the United Nations Staff Regulations. In that regard, the Staff Council had identified at least three areas where UNHCR staff was at a disadvantage compared to the staff of the rest of the United Nations system. In recent months, it had therefore submitted proposals to the Management aimed at removing those inequalities, which mainly affected field staff. It had proposed the establishment of a staff-management consultative committee, which would, for the first time, give field staff the legitimate right to be properly consulted and to take part in the decision-making process, as well as in identifying and solving problems of concern to it. The Management was currently studying that proposal.

65. The Staff Council had submitted another proposal to the Management designed to enable field staff or the Staff Council to participate effectively in staff work both within UNHCR and at the common system level. That proposal was also being studied.

66. The Staff Council had submitted a proposal to the Secretary-General that the staff of UNHCR should be included in the consultative process before any amendment was made to the Staff Rules or any other texts directly affecting the staff of UNHCR. That proposal had been considered favourably by the Staff Management Coordinating Committee (SMCC) and steps had been taken to give immediate effect to it.

67. The Staff Council believed that the implementation of clear policies on staff representation both at Headquarters and in the field was fully in keeping with the efforts being made by the Organization to enhance efficiency and improve management methods. It also appreciated the opportunity to address the Executive Committee on behalf of all the staff. However, the amount of time it was allowed did not enable it to outline even in general terms the main problems encountered or to convey the staff's views on possible solutions. It therefore appealed to the Executive Committee to consider the merits for UNHCR of the adoption of a resolution such as the one recently adopted by the ITU governing body and providing for the establishment of a tripartite consultative group on human resources management, to be composed of members appointed by the ITU governing body, representatives of the ITU Management and representatives of the staff appointed by the ITU Staff Council.

68. When the Project Delphi had been launched in late 1995, the Staff Council had not been consulted on the composition of the Change Management Group, which had been entrusted with the task. Following the submission of the CMG report, the Staff Council had again not been consulted on the new structure of headquarters or given any information on the 250 posts which were to be cut or redeployed. The Staff Council was also concerned about imbalances in the senior management structure and the lack of information on

further restructuring procedures. It therefore welcomed the assurances given by the High Commissioner in her opening statement that the transitional measures would be implemented in close consultation with the Staff Council.

69. The Staff Council intended to do everything in its power so that the exercise would be carried out in accordance with the Staff Rules and Regulations. Since efforts should focus on solutions, the Staff Council was of the opinion that UNHCR needed another kind of human resources policy. It should draw a larger number of persons from countries of origin and countries of asylum and ceilings on staffing levels should not be set in advance, but should be based on a thorough needs assessment, starting at the field level and ending at headquarters, not the other way around. It should also take account of the experience of other field-oriented organizations, such as UNICEF, which had recently undertaken a similar efficiency review.

CONSIDERATION AND ADOPTION OF PROGRAMME BUDGETS (agenda item 6)

70. Mr. WALZER (Deputy High Commissioner) said that that High Commissioner was requesting the Executive Committee to endorse the revised 1996 General Programmes budget, the total amount of which remained unchanged at $445,327,000, as approved at the forty-sixth session. Taking all sources of funds together, including Special Programmes, it was now estimated that 1996 expenditure would amount to $1,358,200,000, as against $1.17 billion in 1995. For 1997, the General Programmes target was $452,612,000. Tentative projections for 1997 Special Programmes, which were as always subject to updating as needs for the following year became more certain, amounted to some $690.5 million. Thus, taking all programmes together, projected needs for 1997 now stood at just over $1.1 billion.

71. With such substantial resource requirements ahead of it, UNHCR, which depended on voluntary contributions, remained very conscious of the fact that a small number of donors carried the burden of providing it with the cash resources it needed. It was, of course, very grateful for that continued support, but it assured delegations that it was sparing no effort to expand the donor base by looking both to Governments and to other sources and it hoped for a measure of success in 1997.

72. The effective and efficient use of resources was at the centre of the High Commissioner's concerns. It was thus not surprising that, as part of Project Delphi, the redesign of the operations management system, which provided the framework for implementing protection and assistance activities, was receiving priority attention. Within that framework, UNHCR would focus on management needs at the delivery point, its operating arrangements with implementing partners and improved reporting both in financial terms and with regard to the impact of the measures adopted. Following up on comments by ACABQ and some States, it would also look at the question of programme delivery and administrative support costs, including a further review for clearer definitions of those costs.

73. With regard to agenda item 7, the Executive Committee had before it the annual accounts, the report of the Board of Auditors and a report on internal oversight. The accounts had been certified by the External Auditors and there had been progress in the implementation of the Auditors' recommendations.

Actually, one of the results of the new working methods of the Executive Committee had been the sustained review of external audit recommendations and their follow-up by the Standing Committee at the meetings it had held throughout the year. Such reviews would continue in 1997. With the Board of Auditors, UNHCR would pursue further the question of audit certification for implementing partners, which had been brought forward from the most recent deliberations of the Standing Committee.

74. UNHCR was entirely in favour of internal oversight, which was an area that had to be constantly improved and on which it was working. The findings and recommendations of the Inspection and Evaluation Service were having an impact on many aspects of management and operations, but, in addition, the internal audit function had to be enhanced and extended to implementing partners. For audit to serve as a management tool, it had to be more frequent and responsive to operational needs.

75. With regard to the impact of Project Delphi on headquarters staff, he indicated that there were plans to cut between 200 and 250 posts over a two-year period. Some cuts would result from transfers to field offices or savings made by means of outsourcing. Arbitrary cuts would not be made, but there would be a streamlining process, which was only just beginning, and that explained why he could not provide more detailed information on it at the present time.

76. Mr. MORRIS (Director, Division of Programmes and Operational Support) said that, as the Deputy High Commissioner has pointed out, no change was being proposed to the General Programmes total. A revised breakdown of that amount was contained in table II.4 of document A/AC.96/865. Addendum 3 to that document contained an update on some components, including allocations to the Programme Reserve, the Emergency Fund and the Voluntary Repatriation Fund, as well as tables replacing those contained in document A/AC.96/865 and describing the situation as at 1 September 1996. New amendments had been made in the meantime, even after the update introduced orally in the Standing Committee during the past week. The Emergency Fund now had about $12.8 million, the Voluntary Repatriation Fund, $7.6 million and the Programme Reserve, $8 million. The projections for Special Programmes were updated in document A/AC.96/865/Add.3 of 4 September 1996. Because of the nature of those Programmes, their needs were under constant review.

77. The proposals before the Executive Committee for 1997 amounted to $452,612,000. The amount earmarked for programme activities was $370.5 million and for the Programme Reserve, $37 million, or 10 per cent of programme activities. The latter amount included a special component to take account of exchange losses, as well as the usual amount of $25 million for the Emergency Fund and a proposed amount under the Voluntary Repatriation Fund totalling $20 million. The initial projections for Special Programmes had temporarily been set at $690 million, the breakdown of which was shown in table II.8 of document A/AC.96/865. Those projections would be considered in the coming weeks and an update would be submitted to the Standing Committee at its first meeting in 1997.

78. Mr. BRUUN (Denmark) said that his country fully supported the proposed programme budget for 1997. The proposed General Programmes target was

ambitious, but realistic. UNHCR had to try to broaden its donor base. The fact that 10 donors were providing more than 90 per cent of UNHCR's funding made the Office very vulnerable to sudden cuts in contributions. A broadening of the donor base would increase the stability and predictability of the income side of UNHCR's budget. Denmark had always been a major donor to UNHCR, but it could not guarantee that its future contributions would match its record 1996 level. The recently adopted Danish policy guidelines for all of the Danish Government's multilateral assistance made the final level of contributions dependent on a continuous and in-depth assessment of UNHCR's performance, responsiveness and accountability. Denmark placed particular emphasis on the need for strong and efficient oversight mechanisms. The ACABQ report which had been submitted to the Standing Committee was the most important governance and oversight tool of the governing bodies. One issue dealt with in the report, namely, the formulation of precise and standardized definitions of the various categories of costs, was of particular importance because standardized definitions would make comparisons between humanitarian organizations easier.

79. Denmark fully supported Project Delphi, which would make UNHCR more efficient, streamlined and adaptable. It urged UNHCR to give careful consideration to the possibility of the extensive outsourcing of functions and services that it had so far provided itself. The private sector and, in some cases, NGOs would seem to be natural and probably also very competitive providers of such services. The delegation of authority to the field and outsourcing must, however, not be done at the expense of oversight and accountability. Nor should decentralization result in the weakening of the central functions of headquarters, particularly standard setting in the field of international protection and reporting to the governing bodies.

80. Mr. HILDAN (Norway) said that he joined the representative of Denmark in supporting the proposed 1997 programme. Norway would also continue to be a major UNHCR donor, but could not provide details of the total amount of its contribution for 1997 at the current stage. He urged the donor community to respond generously to UNHCR's funding needs and also encouraged UNHCR not to spare any efforts to increase the number of its donors. UNHCR had embarked on an ambitious restructuring programme, Project Delphi, which might well set an example for United Nations agencies and organizations. Norway fully supported the objective of that process and expected it to have the result of making UNHCR even more effective and its functioning more streamlined and suited to the new challenges it had to face. Caution was nevertheless in order because, as was known, the restructuring process could disrupt the concentration of the staff and give rise to fears, if not a lack of motivation. His delegation had no doubt that the interests of the staff at all levels would be taken into account as appropriate during that process.

81. Mr. MORAND (Switzerland) said that his delegation had taken note of the documents submitted by the secretariat on UNHCR's 1995-1997 general activities and thanked the secretariat for their quality, precision and conciseness. Switzerland supported the strategies adopted by UNHCR and wished to highlight some important points for the year to come.

82. First of all, there had to be coordination between partners and that was the aim of the follow-up to Economic and Social Council resolution 1995/56.

The activities that followed on emergency humanitarian action were the main ones that had to be coordinated. Immediately after emergency action was taken, there had to be a leveling off phase so that the social and economic fabric affected could be revitalized by means of specific action. The persons involved in the emergency phase and in the revitalization phase had to meet early enough to be able to look to the future and work with development partners on the harmonious implementation by the latter of long-term development activities. Switzerland urged UNHCR to continue to engage in such dialogue, as it was doing with UNDP. Governments and all other partners were naturally also concerned.

83. With regard to the allocation of resources, Switzerland welcomed the fact that 43 per cent of UNHCR expenditure for 1995 had been incurred through implementing partners, over two thirds of which had been through NGOs. However, as it had already indicated at the forty-sixth session, there were still problems with UNHCR's managerial control of programmes implemented by its partners. As the recent crisis in the former Yugoslavia and the Great Lakes region had shown, moreover, a unified approach and a code of conduct to be followed by all partners had not yet been achieved. The necessary efforts had to continue to be made in those two areas.

84. In connection with the use of resources, Switzerland welcomed the Delphi initiative to enhance efficiency and adaptability and to increase operational accountability in the field. It supported the main guidelines proposed. The nominal $7 million increase in General Programmes for 1997 as compared to 1996 indicated that costs were being kept down. The provisional projection of needs under Special Programmes for 1997 showed a drop of $270 million and reflected the fact that some situations in the field had improved. Unfortunately, however, the burden of major crises for which no political solution had yet been found might affect those optimistic trends during the 1997 budget exercise.

85. There was a clear-cut link between the two areas of training and information in the context of prevention. Switzerland encouraged UNHCR to continue to expand those activities. By training its staff, its implementing partners and government staff, UNHCR would be increasing its efficiency in the field. The treatment of refugees would only improve. UNHCR should ensure that the same, standardized training was provided, particularly in all decision-making centres affected by Project Delphi. Information was also essential to UNHCR's activities because, by increasing awareness, it helped to change perceptions and behaviour. It ultimately had a role to play in ensuring respect for refugees.

86. His delegation once again confirmed that it supported UNHCR in the implementation of all of its programme activities for 1997 and that it wanted to explore possibilities of closer operational cooperation with UNHCR by making available skilled human resources.

The meeting was called to order at 12.50 p.m.